

Wetlands Bureau Decision Report

Decisions Taken
11/03/2008 to 11/09/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2007-02190 NH DES DAM BUREAU, JIM GALLAGHER
WEARE Horace Lake

Requested Action:

Permit amendment request to alter the footprint of the ecological control structure due to unforeseen changes in the construction of the upstream bridge structure.

APPROVE AMENDMENT:

Impact a total of 9662 square feet further described as follows: Temporarily impact 6472 square feet for construction access and permanently impact 3190 square feet within the bed of Horace Lake below the summer high water elevation to create a more natural water level regime in the upstream prime wetland and to preclude winter drawdown impacts.

With Conditions:

1. All work shall be in accordance with plans by NH DES Dam Bureau dated October 28, 2008, as received by the Department on October 31, 2008.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
4. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be conducted during low water conditions.
6. Work shall be done during drawdown.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No equipment shall enter the water.
9. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
10. The 100 foot buffer around the designated prime wetlands shall be left in its natural state.
11. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of their intention to start construction no less than five (5) business days prior to the commencement of construction.
12. The Permittee shall monitor the weather and will not commence work within the water, when rain is in the forecast.
13. The boundaries of the 100 foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
14. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
15. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100 foot prime wetland buffer unless specifically permitted. The placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
16. Any additional human activities within the 100 foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
21. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
24. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
26. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
27. A land resource professional may inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

The Department reaffirms findings 1-14 of the original application:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The engineering plans accurately locate the boundary of the wetlands, surface waters and prime wetlands.
6. The erosion controls, and stabilization methods, will protect the ability of the wetlands to retain floodwaters and silt.
7. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, will provide an ecological benefit by maintaining the water levels within the Horace Lake Marsh during the winter season.
8. The project as designed is proposed to maintain and enhance the bio-diversity of the upstream prime wetland.
9. The project is designed to improve the fishery breeding area within the upstream marsh.
10. The proposed structure is not to break the water's surface, therefore it is not considered to be made land.
11. The proposed structure is designed not to be a navigational hazard.
12. The local conservation commission is in support of the application.
13. The Local Advisory Committee is in favor of the proposed project.
14. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

And makes the following additional findings:

15. The permanent wetland impacts associated with the project have been reduced by 13%, as a result of this amendment.
16. The applicant has provided a waiver request per Env-Wt 204.03, to waive Env-Wt 704.01, No permit shall be issued until 20 calendar days after notification of the department's decision has been given to the municipal conservation commission, planning board, municipal executive body, applicant, and other interested parties who have entered written testimony or attended the public hearing.
17. This is a permit amendment that reduces the permanent square feet of impact.
18. There were only positive comments from the municipal conservation commission, planning board, municipal executive body, applicant and other interested parties who entered written testimony or attended the public hearing.
19. The source of funding for the proposed project is a grant that is subject to expiration this calendar year.
20. Horace Lake is currently drawdown for the season.
21. It would be an economic hardship if the proposed funding for the project expired.
22. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 704.01.
23. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

2008-00412 BLACK OAKS LACONIA LLC
LACONIA Unnamed Wetland

Requested Action:

Deny permit request to dredge and fill 29053 square feet for an access road further described as follows: Permanently impact 14,893 square feet for road construction and restore 5160 square feet of previously impacted wetlands.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Dredge and fill 29053 square feet for an access road further described as follows: Permanently impact 14,893 square feet for road construction and restore 5160 square feet of previously impacted wetlands.

With Findings:

1. A request for additional information dated June 9, 2008, addressed to the applicant and copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.
4. Applications received after the work is completed shall be subject to the same review as given any other application, per Rule Env-Wt 302.05.

2008-00439 SKINNER, RAYMOND
TUFTONBORO Lake Winnepesaukee

Requested Action:

Construct a 6 ft x 30 ft piling supported dock connected to a 6 ft x 30 ft piling supported dock by a 6 ft x 12 ft walkway in a "U" shaped configuration, on a frontage with an existing 4 ft x 16 ft seasonal dock on an average of 383 ft of frontage on Lake Winnepesaukee, Tuftonboro.

Conservation Commission/Staff Comments:

Con Com submitted comments stating the existing 4 ft x 12 ft dock be removed as part of the approval

Inspection Date: 05/15/2008 by Chris T Brison

APPROVE PERMIT:

Construct a 6 ft x 30 ft piling supported dock connected to a 6 ft x 30 ft piling supported dock by a 6 ft x 12 ft walkway in a "U" shaped configuration, on a frontage with an existing 4 ft x 16 ft seasonal dock on an average of 383 ft of frontage on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Dave Farley dated October 10, 2008, as received by the Department on October 17, 2008.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. This permit does not allow for maintenance dredging.
7. The dock shall not extend more than 30 ft lakeward at full lake elevation of 504.32.
8. The minimum clear spacing between piles shall be 12 feet.
9. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. DES Staff conducted a field inspection of the proposed project on May 15, 2008. Field inspection determined the proposed project site meets the requirement for a permanent docking structure on this island frontage.
5. The applicant has an average of 383 feet of frontage along Lake Winnepesaukee.
6. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

2008-01601 MNTS LAND LLC
SWANZEY Unnamed Wetland

Requested Action:

Approve name change to: MNTS Land, LLC, 426A Winchester St., Keene, NH 03431 per request received 11/3/08.

APPROVE NAME CHANGE:

Dredge and fill \pm 62,540 square feet of palustrine wet meadow to construct \pm 96,043 square feet of manufacturing facilities and associated access ways, parking facilities, and stormwater management structures. Preserve approximately 15.22 acres on an adjacent parcel (Swanzy Tax Map 19, Lot 97-5 and 102) and donate funds to the Monadnock Conservancy for the acquisition of a \pm 100 acre conservation easement on the Johnson Farm in Swanzy.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Masons, Inc. dated August 01, 2008, as received by the DES Wetlands Bureau on August 12, 2008, and plans dated June 16, 2008, and revised though October 13, 2008, and plans dated October 14, 2008, as received by the DES Wetlands Bureau on October 14, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots shall contain condition # 3 of this approval.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.

9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland mitigation:

14. This permit is contingent upon a deposit of \$50,000 to the Monadnock Conservancy for the protection of the Johnson Farm in Swanzey, NH as a form of compensatory mitigation for impacts to wetlands and surface waters.
15. This permit is contingent upon receipt of a copy of the deposit slip documenting the transfer of funds to the Monadnock Conservancy.
16. This permit is contingent upon the receipt and approval by the DES Wetlands Bureau of the final easement language.
17. This permit is contingent upon the execution of a conservation easement on 15.22 acres as depicted on conservation easement plans, dated September 10, 2008, as received by DES on September 22, 2008.
18. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
19. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.
20. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
21. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.
2. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
3. In an October 1, 2008 communication the NH Fish and Game Department confirmed the project would not impact species identified in the August 04, 2008 Natural Heritage Bureau report and that no additional information was required.
4. The wetlands compensatory mitigation plan provided by the applicant, which includes off-site preservation of 15.22 acres and a deposit of \$50,000 to the Monadnock Conservancy to partially fund the acquisition of an approximate 100 acre conservation easement on the Johnson Farm in Swanzey, meets the requirements of the DES Wetlands Bureau's Wetlands Compensatory Mitigation Rules.
5. In email communication dated September 26, 2008 the Environmental Protection Agency indicated the proposed mitigation, including a \$50,000 deposit to the Monadnock Conservancy and the preservation of an adjacent 15.22 acre parcel, was approvable under the SPGP.
6. The proposed development site consists of 10.84 acres in the Business District and Industrial Park District in Swanzey.
7. The Town of Swanzey, in order to improve the tax base and the economic viability of the town, rezoned the subject parcel land to Industrial Park in 1995. In 1999 the Town created a Tax Increment Finance District, in part, to improve the roads and utilities in the Industrial Park District.
8. In 2005 the Town obtained DES Wetlands and Non-Site Specific Permit 2005-01141 to construct Safford Drive.
9. DES Alteration of Terrain Bureau approval was obtained in September 24, 2008 (WPS-8227), for phase I only of the proposed project.
10. This permit is contingent upon DES Alteration of Terrain Bureau approval for proposed phase II of this project.

11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
12. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
13. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
14. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2005-02183 CUPPLES, WILLIAM & JEAN
HOOKSETT Merrimack River

Requested Action:

Deny request to fill 209 square feet below the high water line of the Merrimack River along 46 linear feet of bank with crushed stone.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Fill 209 square feet below the high water line of the Merrimack River along 46 linear feet of bank with crushed stone.

With Findings:

1. A request for additional information dated June 12, 2008, addressed to the applicant and copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.
4. Applications received after the work is completed shall be subject to the same review as given any other application, per Rule Env-Wt 302.05.

Refer back to compliance for further action.

2007-02879 RMR PACIFIC LLC, ROBERT FRIES
DANBURY Bog Pond

Requested Action:

Temporarily impact 11,500 square feet of palustrine wetland and emergent wetland for installation of a water withdrawal line for snowmaking.

APPROVE AMENDMENT:

Temporarily impact 11,500 square feet of palustrine wetland and emergent wetland for installation of a water withdrawal line for snowmaking.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated September 2008, as received by the Department on

September 15, 2008 and detail sheet dated December 17, 2007 as received by the Department on December 27, 2007.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is for a one time pipe installation only, and shall not be used on an annual basis.
4. This permit is for a one year water withdrawal and shall not be used on an annual basis.
5. The temporary waterline shall be installed without disturbance of any natural features of the Conservation Land.
6. The temporary waterline shall have a 10 foot construction envelope as specified by NH Fish and Game.
7. The waterline shall be installed above ground.
8. Work shall be done during dry or frozen conditions.
9. The construction, maintenance, and removal of the Temporary Water line shall be done in accordance with the construction sequence by Horizons Engineering dated October 24, 2008, as received on October 27, 2008.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Area of temporary construction impact shall be regraded to original contours within 2 days of the installation of the pipe line.
12. Mulch within the restoration area shall be straw.
13. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.
14. Within 3 days of completion of the pipeline all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. The water level and flow rate shall be monitored and recorded at least daily at the culvert under the so-called Ragged Mountain Road.
16. Water flow rate and water levels shall be monitored and recorded at least daily at the concrete culvert below the dam which impounds the so-called Danbury Bog.
17. At the first pumping start, Ragged Mountain shall measure and record water levels and measurement times at the culvert under Ragged Mountain Road at least at the following intervals: two hours before pumping begins, at the start of pumping, at the start of each hour for the first 6 hours, at the 12-hour, and 24-hour of pumping. Ragged Mountain shall submit those data to DES (Wayne.Ives@des.nh.gov) and F&G (Steven.Weber@wildlife.nh.gov) on the second day of pumping.
18. A minimum flow of 3.4 cubic feet per second (Winter Q80) shall be maintained at all times from January 1, 2009, until March 14, 2009. Pumping shall be reduced or water released from storage behind the dam to maintain this flow at the culvert below the dam which impounds the so-called Danbury Bog.
19. The flow rate of 3.4 cubic feet per second is not considered an appropriate long-term multiyear stream flow condition each additional year of withdrawal shall seek an additional written approval from DES Watershed for appropriate flow rates at the culvert below the dam which impounds the so-called Danbury Bog.
20. The maximum pumping rate allowed shall not exceed 1.1 cubic feet per second (500 gallons per minute).
21. Withdrawal volumes will be metered or estimated using approved methods. A flow measurement method will be approved in writing by DES Watershed Management Bureau and installed prior to commencement of withdrawal. Withdrawal rates and pumping start and end times may be used to estimate withdrawal volumes. Withdrawal volumes will be determined and recorded each time pumping rates change and at a minimum frequency of once every 12 hours.
22. All pumping shall cease if the water level measured at the culvert under Ragged Mountain Road falls 4 inches below the level recorded between October 27 and November 8, 2009.
23. The time and date for all flow and water level measurements will be recorded.
24. A report of all water level, flow and withdrawal measurements shall be submitted via email by Monday noon each week to Wayne.Ives@des.nh.gov and to Steven.Weber@wildlife.nh.gov.
25. The permittee shall cease withdrawals from the Danbury Bog immediately if the conditions specified in the conditions above occur.
26. The temporary water line shall be removed at the terminus of the agreement with NH Fish and Game and the area restored to preconstruction conditions within thirty days following the termination of the agreement.
27. A post-construction report documenting the status of the restored jurisdictional areas shall be submitted to the Wetlands Bureau for the temporary construction impacts by December 1, 2009
28. A post-construction report documenting the status of the restored jurisdictional areas shall be submitted to the Wetlands Bureau for the temporary pipe impacts by May 1, 2009.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h); Projects involving less than 20,000 square feet of

alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The proposed water withdrawal has been reviewed by DES Watershed.

3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

6. The applicant is going to monitor the water levels in accordance with the permit to maintain downstream flows.

7. The applicant has provided a signed copy of the agreement with NH Fish and Game.

2008-00511 EDRY, ROBERT
FITZWILLIAM Scott Brook

Requested Action:

Dredge and fill 56 sq. ft. of Scott Brook bank and temporarily impact 220 sq. ft. of Scott Brook for sandbag installation and construction of a timber bridge for transfer of livestock and timber.

APPROVE PERMIT:

Dredge and fill 56 sq. ft. of Scott Brook bank and temporarily impact 220 sq. ft. of Scott Brook for sandbag installation and construction of a timber bridge for transfer of livestock and timber.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC dated January 15, 2008, as received by the DES Wetlands Bureau on April 03, 2008, and Filterbag Detail; Erosion Control Detail and Cofferdam Detail dated August 01, 2008, as received by the DES Wetlands Bureau on August 01, 2008.

2. Work shall be done during annual low flow conditions.

3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. There shall be no excavation or operation of construction equipment in flowing water.

8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.

9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.

11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

13. Temporary cofferdams shall be entirely removed immediately following construction.

14. Proper headwalls shall be constructed within seven days of culvert installation.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired.

17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
20. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
23. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
24. This permit is contingent upon the restoration of 220 square feet of temporary stream impact immediately following removal of the cofferdams.
25. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
26. A post-construction report documenting the status of the completed construction and restored streambed and banks shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The lot frontage is bisected by Scott Brook.
3. The Applicant has confirmed bridge use will be limited to transfer of timber and livestock.
4. In correspondence received June 12, 2008, the Fitzwilliam planning board submitted comments indicating the correct name of the stream is Priest Brook, questioned the need for the bridge, expressed concern for the fragile nature of the land and provided a report on the Stone Pond/Priest Brook area. The author of the report also made suggestions, including spanning the stream banks and that a site-specific natural resource inventory. Additional suggestions were made that are not within the jurisdiction of the DES Wetlands Bureau.
5. In email correspondence dated July 18, 2008, the Applicant's Agent stated the project is being partially funded by ASCS and an agreement was made not to develop the property using the bridge and that the Fitzwilliam Planning Board approval was granted under the same understanding and restriction.
6. In email correspondence dated October 08, 2008, the Applicant's Agent indicated the Applicant sought access through an abutting property that would eliminate the need for a stream crossing and that the request was denied.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
8. The USGS Map identifies the stream as Scott Brook.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00667 **ALTON, TOWN OF**
ALTON Unnamed Stream

Requested Action:

Dredge and fill a total of 610 square feet to replace failing twin 64-inch culverts within a perennial stream further described as follows: Permanently impact 535 square feet to install twin 66-inch (wide) x 55-inch (high) x 33-feet (long) squash pipe culverts and inlet and outlet protection and temporarily impact 75 square feet for construction access.

APPROVE PERMIT:

Dredge and fill a total of 610 square feet to replace failing twin 64-inch culverts within a perennial stream further described as follows: Permanently impact 535 square feet to install twin 66-inch (wide)x 55-inch (high) x 33-feet (long) squash pipe culverts and inlet and outlet protection and temporarily impact 75 square feet for construction access.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated March 2008 and revised through September 17, 2008, as received by the Department on October 7, 2008.
2. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No equipment shall enter the water.
8. All work shall be done from the top of the bank.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Silt fencing must be removed once the area is stabilized.
19. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The Alton Conservation Commission simply wishes the project to be done in low flow situations.
6. The proposed project will maintain the existing width of the stream at the crossing location.

2008-00875 **PAGE, SANDRA**
SWANZEY **Unnamed Wetland**

Requested Action:

Dredge and fill 4,400 sq. ft. of palustrine forested wetlands to upgrade an existing gravel driveway to provide access to a senior housing facility proposed on a single lot of a 2-lot subdivision on \pm 15.98 acres.

APPROVE PERMIT:

Dredge and fill 4,400 sq. ft. of palustrine forested wetlands to upgrade an existing gravel driveway to provide access to a senior housing facility proposed on a single lot of a 2-lot subdivision on \pm 15.98 acres.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated March 17, 2008, and revised through April 17, 2008, as received by the Department on October 06, 2008, and Subdivision Plans dated February 04, 2008, and revised through March 24, 2008, as received by the Department on October 06, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow conditions.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culverts shall be properly rip rapped.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. In correspondence received June 13, 2008, the Swanzey Conservation Commission confirmed they voted "no comment" on the proposed project.
3. In correspondence dated July 24, 2008, the Department of the Army, New England District, Corps of Engineers (ACOE) stated

the project was ineligible for authorization under the New Hampshire Programmatic General Permit (PGP) because the Environmental Protection Agency (EPA) expressed concerns related to the project. Concerns include the absence of a vernal pool survey and the need to look at Low Impact Development choices for the building and parking lot (infiltration and bio-retention in the islands in the lot).

4. The Agent submittal received October 06, 2008, stated a vernal pool survey was completed and confirmed there are no vernal pools on the project site and that the project design incorporates a low-impact underground exfiltration system to mitigate and treat stormwater runoff.
5. The proposed road layout was revised to avoid impacts within 20 feet of abutting property lines.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00975 WARNER, TOWN OF
WARNER Frazier Brook

Requested Action:

Dredge and fill 5,570 sq. ft. of Frazier Brook and associated palustrine emergent/scrub-shrub wetlands along Mason Hill Road to replace a 71-inch x 47-inch x 30-foot steel pipe arch culvert with a 10-foot x 58-inch x 30-foot embedded aluminum box culvert and replace four (4) 28-inch x 20-inch x 40-foot pipe arch culverts with 36-inch x 40-foot ADS culverts and dredge accumulated road sand adjacent to road.

APPROVE PERMIT:

Dredge and fill 5,570 sq. ft. of Frazier Brook and associated palustrine emergent/scrub-shrub wetlands along Mason Hill Road to replace a 71-inch x 47-inch x 30-foot steel pipe arch culvert with a 10-foot x 58-inch x 30-foot embedded aluminum box culvert and replace four (4) 28-inch x 20-inch x 40-foot pipe arch culverts with 36-inch x 40-foot ADS culverts and dredge accumulated road sand adjacent to road.

With Conditions:

1. All work shall be in accordance with plans received June 06, 2008 and plans by received October 14, 2008.
2. Work shall be done during annual low flow conditions.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

13. Temporary cofferdams shall be entirely removed immediately following construction.
14. The ADS culverts shall be laid at original grade.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Native material removed from the streambed during box culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wingwalls and beyond. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
18. The recreated stream channel bed (and box culvert) must maintain the natural and a consistent streambed elevation and not impede stream flow.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
24. A post-construction report documenting the status of the completed project shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial or intermittent stream channel.
2. The Town of Warner was awarded a FEMA 404 grant to be completed this year for the replacement of five (5) culverts on Mason Hill Road.
3. No comments were submitted from federal agencies, the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01163 WARNER, TOWN OF
WARNER Unnamed Pond Bartlett Brook

Requested Action:

Dredge and fill 8,440 square feet of Bartlett Brook to replace an existing 5-foot x 40-foot CMP with a 8-foot x 8-foot x 60-foot rigid frame cement open bottomed box culvert (Parade Ground Cemetery Road) and dredge/restore 60 linear feet of Bartlett Brook (Parade Ground Cemetery Road) and replace a 28-inch x 40-inch x 40-foot steel pipe arch with a 57-inch x 38-inch x 40-foot steel pipe arch (Joppa West Road) and repair/replace existing retaining wall (Joppa West Road).

APPROVE PERMIT:

Dredge and fill 8,440 square feet of Bartlett Brook to replace an existing 5-foot x 40-foot CMP with a 8-foot x 8-foot x 60-foot rigid frame cement open bottomed box culvert (Parade Ground Cemetery Road) and dredge/restore 60 linear feet of Bartlett Brook (Parade Ground Cemetery Road) and replace a 28-inch x 40-inch x 40-foot steel pipe arch with a 57-inch x 38-inch x 40-foot steel

pipe arch (Joppa West Road) and repair/replace existing retaining wall (Joppa West Road).

With Conditions:

1. All work shall be in accordance with plans received June 25, 2008, and plans by Provan & Lorber, Inc. dated October 2008 and October 08, 2008, as received by the Department on October 09, 2008.
2. This permit is contingent upon restoration of the approximate 240 square foot stream dredge area and the approximate 480 square foot stream channel within box culvert in accordance with plans received October 09, 2008, and to the satisfaction of the DES Wetlands Bureau and immediately following the completion of construction.
3. Work shall be done during annual low flow conditions.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work for the project shall not exceed seven consecutive days in total for each of the four project areas unless specifically authorized in writing by the DES Wetlands Bureau.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
18. Culvert inlets and outlets shall match the natural grade of the stream channel.
19. The recreated stream channel bed (and box culvert) must maintain the natural and a consistent streambed elevation and not impede stream flow.
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
26. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.

27. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
28. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. No comments were submitted from the federal agencies, NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau
3. The projects are FEMA funded.
4. In email correspondence received July 17, 2008, the Warner Conservation Commission confirmed the project has been approved.
5. The applicant has revised the proposed stream dredge to include stream restoration.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01719 NEW BOSTON, TOWN OF
NEW BOSTON Unnamed Stream

Requested Action:

Dredge and fill 2,000 square feet of an unnamed perennial to replace/relocate a failing 5-foot x 3-foot x 40-foot steel culvert with a 8-foot x 42-foot embedded box culvert with baffles.

APPROVE PERMIT:

Dredge and fill 2,000 square feet of an unnamed perennial to replace/relocate a failing 5-foot x 3-foot x 40-foot steel culvert with a 8-foot x 42-foot embedded box culvert with baffles.

With Conditions:

1. All work shall be in accordance with plans received by the Department on August 18, 2008. 2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. Work shall be done during annual low flow conditions.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work for the project shall not exceed seven consecutive days in total for each of the four project areas unless specifically authorized in writing by the DES Wetlands Bureau.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
18. Culvert inlets and outlets shall match the natural grade of the stream channel.
19. The recreated stream channel bed (and box culvert) must maintain the natural and a consistent streambed elevation and not impede stream flow.
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
26. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
27. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The Natural Heritage Bureau Report indicated the presence of Eastern Hognose Snake and Blanding's Turtle in the project vicinity and required NHFG Nongame and Endangered Species Program comment.
3. The NHFG Nongame and Endangered Species Program recommended the box culvert size be maximized to provide passage opportunities for Blanding's turtle.
4. The proposed box culvert will improve the existing situation by providing a single and larger culvert that is the same length as the existing culvert.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01720 NEW BOSTON, TOWN OF
NEW BOSTON Bog Brook

Requested Action:

Dredge and fill 800 square feet of Bog Brook to replace twin 36-inch concrete culverts with an embedded 8-foot x 5-foot box culvert (with baffles) of the same length.

APPROVE PERMIT:

Dredge and fill 800 square feet of Bog Brook to replace twin 36-inch concrete culverts with an embedded 8-foot x 5-foot box culvert (with baffles) of the same length.

With Conditions:

1. All work shall be in accordance with plans received by the Department on August 18, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. Work shall be done during annual low flow conditions.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work for the project shall not exceed seven consecutive days in total for each of the four project areas unless specifically authorized in writing by the DES Wetlands Bureau.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
18. Culvert inlets and outlets shall match the natural grade of the stream channel.
19. The recreated stream channel bed (and box culvert) must maintain the natural and a consistent streambed elevation and not impede stream flow.
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

26. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
27. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The proposed box culvert will improve the existing situation by providing a single and larger culvert that is the same length as the existing culverts.
3. The Natural Heritage Bureau Report indicated the presence of Blandings Turtle and Wood Turtle in the project vicinity and required NHFG Nongame and Endangered Species Program comment.
4. The NHFG Nongame and Endangered Species Program recommended the box culvert size be maximized to provide passage opportunities for Blanding's turtle.
5. The proposed 8-foot box culvert more than doubles the existing width of the two 36-inch culverts.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01726

LINCOLN STATION CONDOMINIUM ASSOCIATION

LINCOLN Pemigewasset River

Requested Action:

Repair and replace 750 sq. ft. (approximately 25 linear ft.) of existing rip-rap slope adjacent to the Pemigewasset River.

APPROVE PERMIT:

Repair and replace 750 sq. ft. (approximately 25 linear ft.) of existing rip-rap slope adjacent to the Pemigewasset River.

With Conditions:

1. All work shall be in accordance with plans by Aries Engineering Inc., plan Figure 2, dated July 2008 and plan Figures 3 through 5, dated August 2008, and narratives dated August 2008, as received by DES on August 2009.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. There shall be no excavation or operation of construction equipment in flowing water.
5. There shall be no equipment in the bed of the river or outside of the proposed slope repair area.
6. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.
11. No stumps shall be removed within 50 feet of the reference line per RSA 483-B.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing rip-rap slope has been in place for approximately 30 years.
6. The proposed work is to replace and repair an existing rip-rap area.
7. stabilization options are limited due to the close proximity of ht adjacent buildings and the existing 1 to 1 slope.
8. The proposed stabilization area is approximately 20 feet landward of the ordinary high water mark, 30 feet from the waters edge and starts approximately 5 feet above the surface of the river.
9. The applicant is not proposing any tree removal.

2008-01731 HINSDALE, TOWN OF
HINSDALE Ash Swamp Brook

Requested Action:

Dredge and fill 2,692 sq. ft. of Ash Swamp Brook at Oxbow Road to replace an existing 118-inch x 80-inch elliptical corrugated metal pipe (CMP) with a 16-foot x 6-foot open-bottom concrete arch culvert of similar length and replace an existing 84-inch corrugated meal pipe (CMP) at Monument Road with a 16-foot embedded concrete box culvert of similar length.

APPROVE PERMIT:

Dredge and fill 2,692 sq. ft. of Ash Swamp Brook at Oxbow Road to replace an existing 118-inch x 80-inch elliptical corrugated metal pipe (CMP) with a 16-foot x 6-foot open-bottom concrete arch culvert of similar length and replace an existing 84-inch corrugated meal pipe (CMP) at Monument Road with a 16-foot embedded concrete box culvert of similar length.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers, Inc. dated July 29, 2008, received by the Department on August 22, 2008.
2. The Town shall obtain construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2008-01731 prior to construction.
3. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
4. Work shall be done during annual low flow conditions.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work for the project shall not exceed seven consecutive days in total for each of the two project areas unless specifically authorized in writing by the DES Wetlands Bureau.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
19. Culvert inlets and outlets shall match the natural grade of the stream channel.
20. The recreated stream channel bed within box and arch culverts must maintain the natural and a consistent streambed elevation and not impede stream flow.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
26. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
27. Post-construction photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), Projects that alter the course of or disturb less than 200 linear feet of a perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The proposed arch and box culverts will improve the existing situations by providing a hydraulic opening.
3. The Natural Heritage Bureau indicated the presence of the Dwarf wedgemussel in the project vicinity of the Monument Rd. culvert replacement.
4. In email correspondence the NHFG Nongame and Endangered Species Program indicated that impacts to the dwarf wedgemussel the proposed project Monument Road culvert replacement are not expected.
5. This permit is conditioned that the Town shall obtain construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2008-01731 prior to construction.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2008-00873 SCHWAEGLER, BRUCE & SARA
ORFORD Indian Pond

Requested Action:

Dredge and fill approximately 1950 sq. ft. of wetlands, associated intermittent stream and bank of Indian Pond. Work in wetlands consists of the following activities: Impact approximately 500 sq. ft. of wet meadow wetlands and associated seasonal stream for replacement of an existing undersized and plugged culvert with a 30 in. wide x 15 ft. run x 36 in. high open span concrete waste block bridge within the access road to Indian Pond Dam. Impact approximately 1000 sq. ft. of wet meadow wetlands to upgrade a mowed trail to an existing A-frame structure and upland area. Work includes raising the elevation of a portion of the existing trail and construction of a 6 ft. x 6 ft. full span wood deck bridge over an open drainage area within the trail. Impact approximately 450 sq. ft. of bank and associated wetlands along Indian Pond in an attempt to address seepage/leaking issues along the earthen berm of Indian Pond. Work within and adjacent to the earthen berm will consist of the hand placement of geotextile bags filled with soil on identified seepage areas along the downstream side of the berm and the hand placement of geotextile bags filled with washed sand and covered with clean field stones within undercut portions of the bank along the upstream side of the berm.

Conservation Commission/Staff Comments:

1. The Orford Conservation Commission recommended approval of the applications.

APPROVE PERMIT:

Dredge and fill approximately 1950 sq. ft. of wetlands, associated intermittent stream and bank of Indian Pond. Work in wetlands consists of the following activities: Impact approximately 500 sq. ft. of wet meadow wetlands and associated seasonal stream for replacement of an existing undersized and plugged culvert with a 30 in. wide x 15 ft. run x 36 in. high open span concrete waste block bridge within the access road to Indian Pond Dam. Impact approximately 1000 sq. ft. of wet meadow wetlands to upgrade a mowed trail to an existing A-frame structure and upland area. Work includes raising the elevation of a portion of the existing trail and construction of a 6 ft. x 6 ft. full span wood deck bridge over an open drainage area within the trail. Impact approximately 450 sq. ft. of bank and associated wetlands along Indian Pond in an attempt to address seepage/leaking issues along the earthen berm of Indian Pond. Work within and adjacent to the earthen berm will consist of the hand placement of geotextile bags filled with soil on identified seepage areas along the downstream side of the berm and the hand placement of geotextile bags filled with washed sand and covered with clean field stones within undercut portions of the bank along the upstream side of the berm.

With Conditions:

1. All work shall be in accordance with plans and narratives by Bruce Schwaegler, plans dated May 20, 2008, and narratives as received by DES on May 27, 2008 and plans and narratives as revised through October 8, 2008, as received by DES on October 10, 2008.
2. All work associated with the pond berm repairs shall be conducted by hand.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant, Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02 and Env-Wt 303.04 (z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Staff from the DES Wetlands Bureau and Dam Bureau inspected the site on September 16, 2008. DES Wetlands Bureau confirmed the location of the proposed work in relation to the wetland boundaries. The proposed culvert replacement will likely restore flows and improve aquatic passage through the existing dam access road. The trail upgrade impacts will be minimal and will provide a bridge structure that will span the stream within the trail and provide a trail that is more stable for mowing and passage. The earth berm repairs will be a very low impact attempt to address seepage along the earth berm of Indian Pond.
6. All work will be within wetlands and/or existing access roads and trails.

2008-01386 MCELWEE, BRIAN
BATH Unnamed Wetland

Requested Action:

Proposal to dredge and fill 2,036 sq. ft. of forested wetlands for construction of a common driveway to two proposed building lots and a driveway to an additional building lot within a proposed 8-lot residential development that includes 7 proposed building lots and 1 remaining 118 acre "Other Land" lot. Work in wetlands consists of installation of two 18 in. CMP culverts, associated headwalls, filling and grading.

APPROVE PERMIT:

Dredge and fill 2,036 sq. ft. of forested wetlands for construction of a common driveway to two proposed building lots and a driveway to an additional building lot within a proposed 8-lot residential development that includes 7 proposed building lots and 1 remaining 118 acre "Other Land" lot. Work in wetlands consists of installation of two 18 in. CMP culverts, associated headwalls, filling and grading.

With Conditions:

1. All work shall be in accordance with plans by NHSC Inc., "Application Plan" dated May 2008, as received by the Department on July 24, 2008 and "Waiver Exhibit Plan" dated May 2008, as received by the Department on October 7, 2008 and subdivision plan by Harry J. Burgess Surveyor/Forester, revision dated March 2008, as received by the Department on October 7, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on proposed Lots No. 1 through 7.
4. Any further proposals for alteration of areas on the remaining 118 acre parcel ("Lot #8) that are within the jurisdiction of the DES Wetlands Bureau will require field delineation of the wetlands and surface waters and further permitting by the Bureau.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. The deed which accompanies the sales transaction for each of the 7 building lots in this subdivision shall contain condition #3 of this approval.
7. Work shall be done during low flow.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A waiver has been submitted in accordance with Administrative Rule Part Env-Wt 204 to address a portion of the wetlands delineation requirements on the 118 acre "Other Land" lot per Administrative Rule Env-Wt 304.09(a).
6. The applicant has indicated that it would be a financial hardship upon the applicant to field delineate the wetlands on the remaining 118 acre parcel that is not going to be developed or subdivided at this time.
7. The applicant's agent has submitted supplemental wetlands, soils and topography information for the remaining 118 acre lot.
8. The applicant has no desire to develop or further subdivide the 118 acre lot at this time.
9. This permit is contingent on further permitting by the DES Wetland Bureau if impacts to wetlands are needed for future development or subdivision of the remaining 118 acre lot.
10. The applicant's agent has indicated that there are upland access points to the remaining 118 acre lot from Old Peters Road or Longfellow Drive and no wetlands impacts would be needed to use the access points.
11. The department has obtained a copy of the subdivision plan, revision dated September 2007, as received by the department on September 27, 2007, which is stamped by a NH Licensed Surveyor and indicates who delineated the wetlands on the building lots.
12. The department received plans that includes the field delineated wetlands per Administrative Rules Env-Wt 301.01 and Env-Wt 304.09(a) and topography per Env-Wt 304.09(a) on the 7 proposed building lots.
13. Based on findings #6 through #12 the waiver request was approved.

2008-01641 **TWIN LAKES VILLAGE INC**
NEW LONDON **Little Lake Sunapee**

Requested Action:

Repair an existing 33 ft of retaining wall and 62 ft of retaining wall on Little Sunapee Lake, New London.

Conservation Commission/Staff Comments:

NO comments from local Con Com by October 23, 2008

APPROVE PERMIT:

Repair an existing 33 ft of retaining wall and 62 ft of retaining wall on Little Sunapee Lake, New London.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 29, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during drawdown.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is performed "in the dry" during drawdown of waters.

2008-01723 STEELE, PETER
SALEM Arlington Lake

Requested Action:

Repair "in kind" an existing 3 ft x 32 ft dock with a 6 ft x 8 ft "L" shaped dock on the lakeward end on Arlington Lake, Salem.

Conservation Commission/Staff Comments:

Con Com has no objections to proposed dock

APPROVE PERMIT:

Repair "in kind" an existing 3 ft x 32 ft dock with a 6 ft x 8 ft "L" shaped dock on the lakeward end on Arlington Lake, Salem.

With Conditions:

1. All work shall be in accordance with plans as received by DES on August 22, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

FORESTRY NOTIFICATION

2008-02313 KILL MOUNTAIN REALTY LLC
HEBRON Unnamed Stream

COMPLETE NOTIFICATION:
Hebron Tax Map 18, Lot# 30

2008-02317 SMALL, MARY
CONTOOCCOOK Unnamed Stream

COMPLETE NOTIFICATION:
Contoocook Tax Map 248, Lot# 2.1

2008-02321 SMALL, MARY
CONTOOCCOOK Unnamed Stream

COMPLETE NOTIFICATION:
Contookcook Tax Map 241, Lot# 38.2

2008-02350 BIRD, JIM & COLLEEN
MONT VERNON Unnamed Stream

COMPLETE NOTIFICATION:
Mont Vernon Tax Map 7, Lot# 61 & 61-1

2008-02351 EMERSON 1985 TRUST, DENLEY
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R2, Lot# 38

2008-02353 BEAVER BROOK FOREST LLC, C/O ROBERT BRADBURY
NEW DURHAM Unnamed Stream

COMPLETE NOTIFICATION:
New Durham Tax Map/Lot# 21/7, 15 & 24/11

2008-02376 WOLF, JUDITH
BOSCAWEN Unnamed Stream

COMPLETE NOTIFICATION:
Boscawen Tax Map 79, Lot# 68

2008-02385 GREY, LACHLAN
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Pittsfield Tax Map R27, Lot# 15

2008-02388 DRED, NH
ALLENSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Allenstown Tax Map 35, lot# 38-AO P1-522 Bear Brook Sate Park

2008-02390 CLARK HILL INC, FINN CASPERSEN
DORCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Dorchester Tax Map 19, Lot# 875 & 964

2008-02391 HANCOCK, TOWN OF
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map 11, Lot# 68

2008-02393 BROX DEVELOPMENT CO INC
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map 13, Lot# 11, 12, 21

2008-02404 CERSOSIMO LUMBER CO
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 659 & 741

2008-02406 BIXBY, REGINALD
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:

Warren Tax Map 6, Lot# 4

EXPEDITED MINIMUM

2006-03173 LACONIA, CITY OF
LACONIA Lake Winnepesaukee

Requested Action:

Request for amendment to impact an additional 40 square feet to expand the rip rap apron and fill approximately 50 square feet where erosion has occurred at the termination of the swale.

APPROVE AMENDMENT:

Dredge and fill total of 275 square feet further described as follows: Reset rocks and existing riprap along 37 linear feet of Summit Ave, to repair existing roadway and construct a treatment swale with a rip rap outlet in the bank of Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by The City of Laconia Public Works dated February 2007, and revised through August 21, 2007, as received by the Department on August 21, 2007 and e-mail narrative dated September 25, 2008.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be conducted during low water conditions.
5. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. No White Pines shall be removed as part of this project.
10. All work shall be done from the top of the bank. No equipment shall enter jurisdictional areas.
11. No material shall be removed from below high lake elevation 504.32.
12. All work shall be within the City of Laconia Right-of-Way.
13. No rip-rap shall be placed below elevation 504.32.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 7 days by seeding and mulching.
16. Silt fencing must be removed once the area is stabilized.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

The department reaffirms findings 1-8 of the previous approval.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided documentation from NH Fish and Game and US Fish and Wildlife indicating that there will be no impacts to Bald Eagles as a result of this project.
6. The applicant proposes to stabilize the proposed ditch with vegetation and not rip rap.
7. The greater majority of trees was avoided with the relocation of the swale to the east.
8. The applicant has provided evidence that the existing swale outlet within the bank is not holding it's form and is causing erosion into Lake Winnepesaukee.
and makes the following additional finding.
9. This portion of the project is essentially a restoration of the previously existing bank that has occurred as the result of large stones being located within the swale.

2007-02231 ADDESA, MICHAEL
WAKEFIELD Pine River Pond

Requested Action:

Repair 88 linear feet of retaining wall, install 6 ft wide access steps in a previously disturbed area, and regrade and plant to stabilize an existing slope on an average of 91 feet of frontage on Pine River Pond, Wakefield.

Conservation Commission/Staff Comments:

Con Com submitted comments to the file stating natural stabilization should be implemented

APPROVE PERMIT:

Repair 88 linear feet of retaining wall, install 6 ft wide access steps in a previously disturbed area, and regrade and plant to stabilize an existing slope on an average of 91 feet of frontage on Pine River Pond, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated May 22, 2008, as received by DES on October 20, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. This permit does not allow for the removal of any stumps or their root systems.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.

10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) repair of existing retaining walls.
2. The proposed project was designed pursuant to Env-Wt 404.03.

2008-00750 ERICSON, HARRY & AUDREY
CHESTERFIELD Unnamed Stream

Requested Action:

Impact approximately 75 sq. ft. of perennial stream/palustrine emergent wetland to install a protective beaver fence and 15-inch flexible pond leveler.

APPROVE PERMIT:

Impact approximately 75 sq. ft. of perennial stream/palustrine emergent wetland to install a protective beaver fence and 15-inch flexible pond leveler.

With Conditions:

1. All work shall be in accordance with plans by Beaver Solutions as received by the Department on May 12, 2008 and May 27, 2008.
2. Work shall be done during annual low flow conditions.
3. In the event there stream diversion or cofferdams are required at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. If cofferdams are installed, no work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

18. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

18. Post-construction photographs documenting the status of the completed project shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), (o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The fence and leveler will be set on the wetland/stream bottom. No excavation is required.
3. No comments were submitted from the federal agencies, NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau and the Conservation Commission signed the Minimum Impact Expedited Application.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01639 ANVARI, ELISABETH MARIE
WEST CHESTERFIELD Connecticut River

Requested Action:

Install a 6 ft x 24 ft seasonal wharf accessed by a 6 ft x 12 ft seasonal ramp on 700 ft of frontage on the Connecticut River, Chesterfield.

Conservation Commission/Staff Comments:

Con Com signed Exp Application on August 14, 2008

APPROVE PERMIT:

Install a 6 ft x 24 ft seasonal wharf accessed by a 6 ft x 12 ft seasonal ramp on 700 ft of frontage on the Connecticut River, Chesterfield.

With Conditions:

1. All work shall be in accordance with plans as received by DES on August 18, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. Seasonal pier shall be removed from the waterbody for the non-boating season.
4. No portion of the pier shall extend more than 18 feet from the shoreline.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal pier or wharf.
2. The applicant has an average of 700 feet of shoreline frontage along the Connecticut River.
3. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 1 slip as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2008-01668 ST PAULS SCHOOL
CONCORD Tributary To Millers Brook

Requested Action:

Temporarily impact 50 square feet within a palustrine forested wetland associated with Miller Brook and permanently impact 5 square feet for the installation of a support within the bank of Miller Brook for a proposed pedestrian bridge for access in a proposed public park.

APPROVE PERMIT:

Temporarily impact 50 square feet within a palustrine forested wetland associated with Miller Brook and permanently impact 5 square feet for the installation of a support within the bank of Miller Brook for a proposed pedestrian bridge for access in a proposed public park.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning LLC dated October 6, 2008, as received by the Department on October 6, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during low flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No equipment shall enter the water.
7. All work shall be done from the top of the bank.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z); Installation of a culvert or bridge and associated fill to permit access to a piece of property for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01813 CHARLESTOWN, TOWN OF
CHARLESTOWN Clay Brook**

Requested Action:

Dredge and fill approximately 100 square feet of intermittent stream to extend an existing 48-inch x 40-foot culvert 8 feet to upgrade an existing road that provides access to existing industrial lots of record.

APPROVE PERMIT:

Dredge and fill approximately 100 square feet of intermittent stream to extend an existing 48-inch x 40-foot culvert 8 feet to upgrade an existing road that provides access to existing industrial lots of record.

With Conditions:

1. All work shall be in accordance with plans received by the Department on October 17, 2008.
2. Work shall be done during dry conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01936 IPPOLITO FAMILY SERIES LLC
DEERFIELD Pleasant Lake

Requested Action:

Repair an existing 24 ft of retaining wall on Pleasant Lake, Deerfield.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 24 ft of retaining wall on Pleasant Lake, Deerfield.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 30, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Area shall be regraded to original contours following completion of work.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Repair shall maintain existing size, location and configuration.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is preformed in the dry during drawdown.

2008-02096 DERRY, TOWN OF
DERRY Cole Marsh Pond

Requested Action:

Impact 1,133 square feet within the bed and banks of Cole Marsh Pond to repair the dam that had sustained damage and subsequently breached as a result of the April 2007 flood events.

Conservation Commission/Staff Comments:

The Derry Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 1,133 square feet within the bed and banks of Cole Marsh Pond to repair the dam that had sustained damage and subsequently breached as a result of the April 2007 flood events.

With Conditions:

1. All work shall be in accordance with plans by the Town of Derry received by DES on October 1, 2008.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during seasonal low flow conditions.
7. Prior to commencing work on a substructure located within Cole Marsh Pond, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet
2. The dam was breached during the April 2007 floods, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The dam will be reconstructed in its original footprint, therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt

302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-02208 GURNEY, GEORGE
CENTER HARBOR Squam Lake

Requested Action:

Install a 4 ft x 24 ft seasonal dock on an average of 58 ft of frontage on Squam Lake, Center Harbor.

Conservation Commission/Staff Comments:

Con Com signed Exp Application on October 08, 2008

APPROVE PERMIT:

Install a 4 ft x 24 ft seasonal dock on an average of 58 ft of frontage on Squam Lake, Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants dated October 06, 2008, as received by DES on October 14, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal pier or wharf if no more than 2 slips are proposed.
2. The applicant has an average of 58 feet of shoreline frontage along Squam Lake.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Less Than 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2008-02264 MURPHY, ROBERT
NEWBURY Lake Sunapee

Requested Action:

Replace an existing 9 ft x 14 ft permanent crib on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com submitted a signed copy of the Exp Application

APPROVE PERMIT:

Replace an existing 9 ft x 14 ft permanent crib on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 20, 2008.

2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

AGRICULTURE MINIMUM

2008-01549 PLEASANT VIEW GARDENS INC
LOUDON Unnamed Wetland

Requested Action:

Dredge and fill 6790 square feet of wet meadow for the construction of an irrigation storage reservoir.

APPROVE PERMIT:

Dredge and fill 6790 square feet of wet meadow for the construction of an irrigation storage reservoir.

With Conditions:

1. All work shall be in accordance with plans by NRCS dated July 2008, as received by the Department on August 11, 2008.
2. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
3. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
4. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
5. This permit shall be recorded with the Merrimack County Registry of Deeds office by the permittee.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. All work shall be done within wet meadows, there shall be no impacts to forested wetlands.
8. Work shall be done during low flow.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u); Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

2008-02118 CLOUTIER SAND & GRAVEL
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map C5, Lot# 75-5

2008-02225 NH DRED, BUREAU OF TRAILS
STARK Unnamed Stream

COMPLETE NOTIFICATION:
Stark Tax Map 408, Lot# 99

2008-02315 PITTSBURG RIDGE RUNNERS SNOWMOBILE CLUB, INC, BEVE
PITTSBURG Ad Chase, Halls Stream, Merrill Brook

COMPLETE NOTIFICATION:
Pittsburg Tax Map/Lot# B2/49, A1/26, C7/26

2008-02349 STATE OF NH, DRED
BOW Unnamed Stream

COMPLETE NOTIFICATION:
Bow Tax Map 1, Lot# 6 Pages Corner State Forest

2008-02375 NEW DURHAM, TOWN OF
NEW DURHAM Unnamed Stream

COMPLETE NOTIFICATION:
New Durham Tax Map 14, Lot# ROW

2008-02380 STATE OF NH, FISH & GAME
BROOKFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Brookfield Tax Map 35, Lot# 1

2008-02407 PROCTOR ACADEMY
ANDOVER Unnamed Stream

COMPLETE NOTIFICATION:
Warren Tax Map 6, Lot# 4

LAKES-SEASONAL DOCK NOTIF

2008-02348 WEISMAN, CRAIG
NEW HAMPTON Winona Lake

COMPLETE NOTIFICATION:
New Hampton, NH Tax Map U15 Lot 6
Lake Winona

PERMIT BY NOTIFICATION

2008-02344 SIEMINSKI REVOC TRUST, NEIL
CANDIA Unnamed Stream

Requested Action:

Impact 1,620 square feet of forested wetland for the construction a driveway and installation of a 24-inch RCP culvert for access to buildable uplands for the construction of single family residential dwelling on 15.5 acres.

Conservation Commission/Staff Comments:

The Candia Conservation Commission signed the PBN.

PBN IS COMPLETE:

Impact 1,620 square feet of forested wetland for the construction a driveway and installation of a 24-inch RCP culvert for access to buildable uplands for the construction of single family residential dwelling on 15.5 acres.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.

X-SHORELAND RULE WAIVER

2008-01348 TOWN OF GRANTHAM
GRANTHAM Unnamed Stream

Requested Action:

Construct an access road accessory structure on property adjacent to Sawyer Brook in Grantham.

WAIVER APPROVED: Env-Wq 1405.03 is hereby waived to allow construction of the proposed access road that will exceed the size limitations established for accessory structures.

APPROVE PERMIT:

Construct an access road accessory structure on property adjacent to Sawyer Brook in Grantham.

WAIVER APPROVED: Env-Wq 1405.03 is hereby waived to allow construction of the proposed access road that will exceed the size limitations established for accessory structures.

With Conditions:

1. All work shall be in accordance with plans by The H.L. Turner Group Inc. dated May 25, 20008 and received by the Department of Environmental Services ("DES") on September 26, 2008.
2. No more than 24.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 127,150 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The proposed accessory structure, to be located on property identified as the town of Grantham Tax Map 233 Lot 75, will exceed 150 sq ft within the primary structure setback to public waters and, therefore, fails to conform to the size limitations set forth in Rule Env-Wq 1405.03.
2. The Applicant has provided evidence that granting this request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety.
3. The Applicant has provided evidence that granting the request will not result in an impact on abutting properties that is more significant than that which would result from complying with the rule.
4. The Applicant has provided evidence that granting the request is consistent with the intent and purpose of the rule being waived.
5. The remainder of this project meets the requirements of Rule Env-Wq 1406.03 (c) and, therefore, does not require a Shoreland Impact Permit.

CSPA PERMIT

2008-01747 TRANSCANADA HYDRO NORTHEAST INC, TIM DONELON
LITTLETON Moore Reservoir

Requested Action:

Amendment to the previously approved permit to include a proposed paved ramp to provide handicap access within the waterfront buffer.

APPROVE AMENDMENT:

Amend permit to read: Impact 3,450 sq ft to construct a gravel parking area, drainage swale, and paved handicapped access ramp within the waterfront buffer.

VARIANCE APPROVED: RSA 483-B:9, V(a)(2)(B) in varied to allow the removal of ground cover from within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by The Louis Berger Group, Inc. dated September 15, 2008 and received by the Department of Environmental Services ("DES") on October 9, 2008.
2. This approval includes a variance to RSA 483-B:9, V(a)(2)(C) and RSA 483-B:9, V(a)(2)(B) to allow construction of a paved ramp within the waterfront buffer. This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. No more than .3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 128.04 acres of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 64.02 acres of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The literal enforcement of RSA 483-B:9, V(a)(2)(C) and RSA 483-B:9, V(a)(2)(B) would result in an unnecessary hardship to the public as it would deny handicap access to a public facility.
2. The proposed project is consistent with the intent of RSA 483:B as it protects public use of waters, including recreation.
3. The proposed project will not adversely affect the public or private rights of others.
4. Granting the variance will be consistent with the public interest as it will allow handicap access to a public facility.
5. Granting the variance will do substantial justice by preserving the private rights and interests of the public.

2008-01750 BERCHEM, MARY
LACONIA Lake Winnepesaukee

Requested Action:

Impact 5,615 sq ft to to replace a dwelling, well, and driveway and connect the remaining two buildings to municipal sewer.

WAIVER APPROVED: RSA 483-B:9,V(b)(2)is waived to allow the alteration of a greater percentage of the natural woodland buffer than would otherwise be allowed.

APPROVE PERMIT:

Impact 5,615 sq ft to replace a dwelling, well, and driveway and connect the remaining two buildings to municipal sewer.

WAIVER APPROVED: RSA 483-B:9,V(b)(2) is waived to allow the alteration of a greater percentage of the natural woodland buffer than would otherwise be allowed.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering dated October 28, 2008 and received by the Department of Environmental Services ("DES") on November 3, 2008.
2. This approval includes a shoreland waiver of the minimum woodland buffer requirements set forth in RSA 483-B:9,V(b)(2) to allow an excess of disturbance within the woodland buffer by approximately 885 sq ft more than is allowable under this standard. This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. No more than 13.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 1,968 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. No more than 1,968 sq ft of natural woodland buffer shall be altered unless additional approval is obtained from DES.
5. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.
6. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.
7. The proposed porous asphalt shall be installed and maintained in accordance with the manufacturers specifications.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The applicant is requesting to alter 885 sq ft more of the natural woodland buffer than would otherwise be allowed under RSA 483-B:9, V, (B), (2) of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to replace one of two nonconforming structures with a conforming structure.
4. The applicant has proposed to install stormwater controls consisting of a gutter system to direct stormwater to proposed dry wells.
5. The applicant has proposed to plant native vegetation as depicted on plans by Varney Engineering, LLC dated October 28, 2008 and received by DES on November 3, 2008.
6. The applicant has proposed to replace an existing gravel driveway with a proposed driveway constructed with porous pavers.
7. The project as proposed meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2008-01830 HILLSON, EDWARD/JANET
PENACOOK Contoocook River

Requested Action:

Impact 875 sq ft to construct a garage.

APPROVE PERMIT:

Impact 875 sq ft to construct a garage.

With Conditions:

1. All work shall be in accordance with plans by David R. Noyes, modified by Edward Hilson, and received by the Department of Environmental Services ("DES") on October 7, 2008.
2. No more than 12.04% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 9,434 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. In order to be in compliance with RSA 483-B:9 V(e)(2), there shall be no more than 1 residential unit, as described in RSA 483-B:4 XIX, built after July 4, 1994, that is dependant on on site septic system on the property.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01832 BARRELL, JOSEPH P TRUST
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 2,050 sq ft to construct garage and additional driveway/parking area.

APPROVE PERMIT:

Impact 2,050 sq ft to construct garage and additional driveway/parking area.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates dated October 6, 2008 and received by the Department of Environmental Services ("DES") on October 8, 2008.
2. No more than 19.06% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,538 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,537.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. In order to be in compliance with RSA 483-B:9 V(e)(2), there shall be no more than 1 residential unit, as described in RSA 483-B:4 XIX, that is dependant upon on site septic system on the property.

5. The proposed brand name "Belgard Stone Pavers" by Oldcastle Architectural, Inc. shall be installed and maintained in accordance with the manufacturers specifications.
6. The proposed pervious pavers shall effectively infiltrate stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01835 GULLAGE, JOE
WASHINGTON Highland Lake

Requested Action:

Impact 9,367 sq ft to construct a 3 bedroom house, driveway, and septic system.

APPROVE PERMIT:

Impact 9,367 sq ft to construct a 3 bedroom house, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by J.E. Belanger Land Surveying dated July 28, 2008 and received by the Department of Environmental Services ("DES") on October 9, 2008.
2. No more than 10% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 11,468.5 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,468.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01881 PACKARD, CHARLES
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 16,441 sq ft to replace a single family dwelling, construct a new garage, patios, expanded driveway access, and complete landscaping.

APPROVE PERMIT:

Impact 16,441 sq ft to replace a single family dwelling, construct a new garage, patios, expanded driveway access, and complete landscaping.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated August 21, 2008 and received by the Department of Environmental Services ("DES") on September 9, 2008.
2. No more than 17.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 9,667 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered and wetlands.

2008-01970 MURDOUGH JR, THOMAS G
CENTER HARBOR Squam Lake

Requested Action:

Impact less than 5,000 sq ft for proposed landscaping.

APPROVE PERMIT:

Impact less than 5,000 sq ft for proposed landscaping.

With Conditions:

1. All work shall be in accordance with plans by Stephanie Sanford dated 9/12/08 and received by the Department of Environmental Services ("DES") on September 16, 2008.
2. No more than 12.23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 73,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 36,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. No natural groundcover shall be removed within 50 ft of the reference line.
5. All proposed hardscaping within 20 ft of the reference line must be within the footprint of an existing accessory structure in existence before November 26, 1996.
6. There shall be no more than 150 sq ft of hardscaping per 50 ft waterfront segment for proposed hardscaping located outside the footprint of an existing accessory structure in existence before November 26, 1996.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02143 LOCH LYME LODGE INC, LIZ RYAN COLE
LYME Post Pond

Requested Action:

Impact 9,920 to regrade existing lawn, construction of a post pavillion, reconstruct/excavate cabin foundation piers, and create garden areas around perched beach.

APPROVE PERMIT:

Impact 9,920 to regrade existing lawn, construction of a post pavillion, reconstruct/excavate cabin foundation piers, and create garden areas around perched beach.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated September 2008 and received by the Department of Environmental Services ("DES") on October 6, 2008.
2. No more than 1.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 123,568 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 62,852 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval of a state wetlands permit for all work proposed within wetlands jurisdiction.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02167 EVANS, RICHARD/SUSAN
BRISTOL Newfound Lake

Requested Action:

Impact 1,500 sq ft to construct a foundation and replace an existing cabin in kind.

APPROVE PERMIT:

Impact 1,500 sq ft to construct a foundation and replace an existing cabin in kind.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil Engineering, PLLC dated August 24, 2008 and received by the

Department of Environmental Services ("DES") on October 8, 2008.

2. No more than 9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 53,922 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,672.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02170 NELSON, KRIST/WENDY
DEERFIELD Pleasant Lake

Requested Action:

Impact 160 sq ft to construct a porch to the side of an existing house.

APPROVE PERMIT:

Impact 160 sq ft to construct a porch to the side of an existing house.

With Conditions:

1. All work shall be in accordance with plans by William T. Wormell, modified by Krist and Wendy Nelson and received by the Department of Environmental Services ("DES") on October 8, 2008.
2. No more than 14.71% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 22,662 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,705.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02192 GRIPPO, JULIE
CANTERBURY New Pond

Requested Action:

Impact 112 sq ft to construct a new entry/mud room attached to an existing single family dwelling.

APPROVE PERMIT:

Impact 112 sq ft to construct a new entry/mud room attached to an existing single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Julie Grippo dated October 10, 2008 and received by the Department of Environmental Services ("DES") on October 10, 2008.
2. No more than 5.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,723 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,722.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

CSPA PERMIT W/WAIVER

2008-01708 CAPLETTE, RICHARD
NORTHWOOD Harvey Lake

Requested Action:

Impact 3,550 sq ft to replace a single family dwelling.

WAIVER APPROVED: RSA 483-B:9, II,(b), is waived to allow construction associated with a primary structure within the Primary Building Setback.

APPROVE PERMIT:

Impact 3,550 sq ft to replace a single family dwelling.

WAIVER APPROVED: RSA 483-B:9, II,(b), is waived to allow construction associated with a primary structure within the Primary Building Setback.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated August 2008, and received by the Department of Environmental Services ("DES") on August 22, 2008.
2. This approval includes a wavier of the primary building setback set forth in RSA 483-B:9,II(b). This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. No more than 23.64% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 960 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 959.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and

schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.

6. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.

7. This permit is contingent on approval by the DES Subsurface Systems Bureau.

8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Harvey Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."

3. The applicant has proposed to increase the setback of the primary structure to the reference line, improve wildlife habitat, and reduce the total impervious surface area on the property and, therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.